

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

VINCENT DOAN,	:	
	:	
Petitioner,	:	
v.	:	Case No. 1:00-CV-727
	:	
EDWIN VOORHIES, WARDEN,	:	JUDGE BECKWITH
	:	
Respondent.	:	MAGISTRATE JUDGE HOGAN

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

Pursuant to Federal Rules of Appellate Procedure (FRAP) 24, Petitioner moves this Court to allow him to proceed in forma pauperis on appeal to the Sixth Circuit Court of Appeals. Pursuant to 28 U.S.C. 1915, Petitioner submits that further appeal can be taken in good faith.

Respectfully submitted,

/s/Kort Gatterdam
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Counsel for Petitioner, Vincent Doan

MEMORANDUM IN SUPPORT

On March 21, 2007, this Court dismissed Doan's Petition for Writ of Habeas Corpus. Concurrent with this motion, Doan is filing a notice of appeal. Doan requests that he be permitted to proceed on appeal in forma pauperis. In its Order denying Doan's habeas petition, this Court certified that Doan would be permitted leave to appeal in forma pauperis upon a showing of financial necessity.

Doan has been incarcerated on the charges in the instant case since early 1997. Pursuant to FRAP 24, attached to this motion, Doan submits an affidavit attesting to his inability to pay the costs and fees necessary to appeal his convictions to the Sixth Circuit Court of Appeals. Doan also attaches a statement from the cashier's office at the Southern Ohio Correctional Facility regarding the balance of his funds on the books.

Doan asks this Court for leave to proceed in forma pauperis to present to the Sixth Circuit evidence in support of the grounds for relief for which this Court granted a certificate of appealability as well as any additional grounds from which the Sixth Circuit grants appealability status.

Respectfully submitted,

/s/Kort Gatterdam

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Counsel for Petitioner, Vincent Doan

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on April 18, 2007, he electronically filed the foregoing Petitioner's Motion for Leave to Proceed In Forma Pauperis with the Clerk of Court using the CM/ECF system, which will send notification of such filing to Stuart Alan Cole, Assistant Ohio Attorney General, 150 East Gay Street, 16th Floor, Columbus, Ohio 43215.

/s/ Kort Gatterdam

Kort Gatterdam (0040434)

050-013: 195746.